

Serial No.: 10/823,319

AMENDMENTS IN THE DRAWINGS:

Fig. 1, an optical fiber cable 119 has been added in phantom along the optical path A.

Appropriate Replacement Sheet(s) for the amended drawings are submitted herewith.

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REMARKS

Claims 1-7 are pending in the application. Claim 1 has been amended herein. Favorable reconsideration of the application, as amended, is respectfully requested.

I. OBJECTION TO THE DRAWINGS

The drawings have been objected to as not including every feature of the invention specified in the claims. Specifically, the Examiner notes that the feature of an "optical fiber cable" as recited in claims 3 and 7 must be shown.

In response, applicants have amended Fig. 1 to include the optical fiber cable recited in claims 3 and 7. Support for such amendment is found in the original application at page 20, lines 1-8, for example. No new matter has been added.

In view of such changes, applicants respectfully request withdrawal of the objection.

II. REJECTION OF CLAIM 1 UNDER 35 USC §102(b)

Claim 1 is rejected under 35 USC §102(b) based on *Pearson*. Applicants respectfully request withdrawal of the rejection for at least the following reasons.

Applicants have amended claim 1 to recite that the position detecting means includes a tracking laser generating means for radiating a tracking laser beam to the object to be tracked via the optical guiding means. Moreover, the position detecting means includes an optical position sensitive detector for detecting the tracking laser beam returning via the optical guiding means from the object to be tracked.

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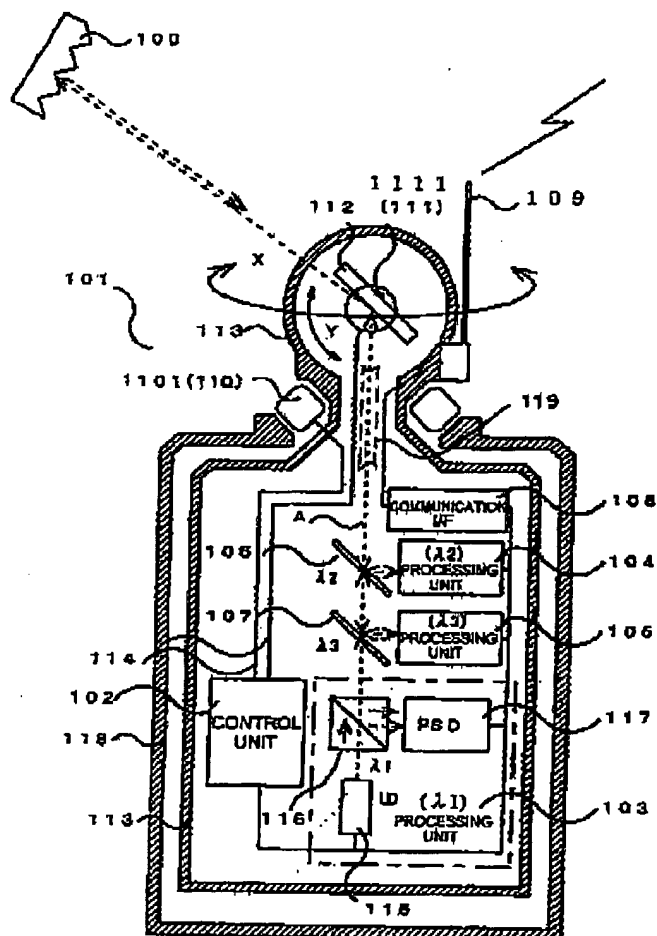


Fig. 1 (Present Invention)

Referring to Fig. 1 of the present application (reproduced above), for example, a tracking laser 115 generates a tracking laser beam along the optical path A so as to be incident on an object to be tracked (e.g., reflector 100). The reflected laser beam returns to the laser measurement apparatus 101 where it travels along the same optical path A in order to be detected by the optical position sensitive detector 117 as shown. (See, e.g., Spec., p. 8, Ins. 4-22).

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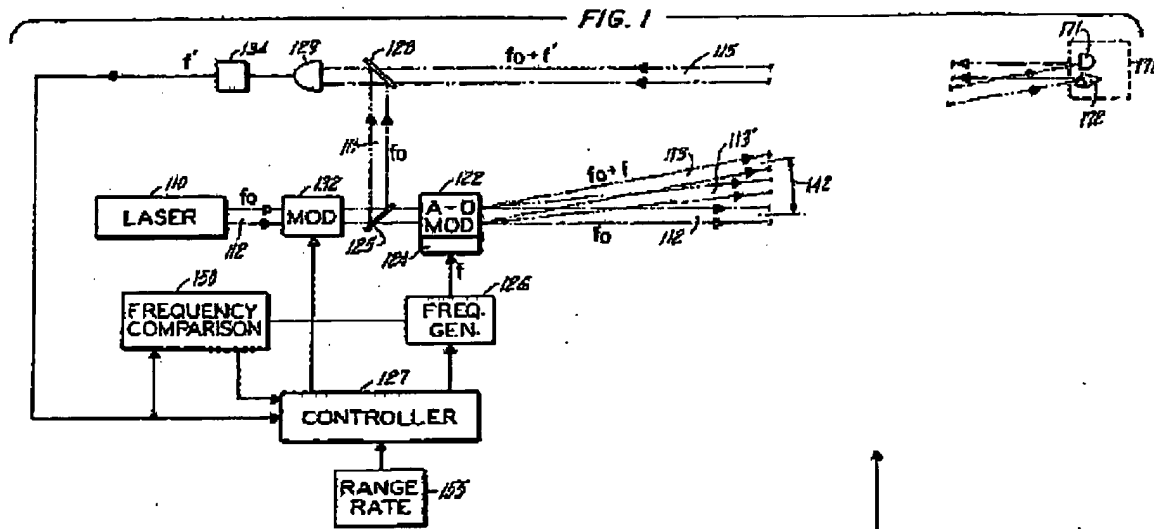


Fig. 1 of Pearson

Pearson describes a laser radar adaptive tracking system with a completely different configuration as compared to the present invention. Referring to Fig. 1 (reproduced above), for example, a laser beam from the laser 110 is acousto-optic modulated via A-O modulator 122 in order to sweep over a large angular range and ultimately acquire a target 170. Thereafter, a laser beam is swept across a smaller angle of interest in order to track the target 170. (See, e.g., Col. 3, Ins. 18-32).

However, *Pearson* teaches analyzing the return laser beam via a different optical path as compared to the tracking laser beam as is clearly shown in Fig. 1 of *Pearson*. *Pearson* does not teach or suggest a configuration in which the tracking (outgoing) laser beam and the returning laser beam are radiated to the object and detected, respectively, via the same optical guiding means as recited in amended claim 1. Nor does *Pearson* teach or suggest the advantages associated with such a configuration.

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Accordingly, applicants respectfully submit that *Pearson* does not teach or suggest a laser measurement apparatus as set forth in amended claim 1. Withdrawal of the rejection is respectfully requested.

III. REJECTIONS OF CLAIMS 2-7 UNDER 35 USC §103(a)

Claims 2 and 3 stand rejected under 35 USC §103(a) based on *Pearson* in view of *Kumagai et al.* Remaining claims 4-7 stand rejected under 35 USC §103(a) based on *Pearson* alone. Applicants respectfully request withdrawal of each of these rejection for at least the following reasons.

Initially, applicants note that claims 2-7 each depend from claim 1 either directly or indirectly. Therefore, these claims may be distinguished over *Pearson* for at least the same reasons discussed above in relation to claim 1. Moreover, *Kumagai et al.* does not make up for the above-discussed deficiencies in *Pearson*.

Regarding claims 3 and 7 specifically, for example, the Examiner simply states that the use of the optical fiber as means for transferring a light beam in an optical device is well known. The Examiner contends it would have been obvious to utilize an optical fiber in order to prevent any ambient light from interfering with the light beam from the laser.

However, applicants note that the present application describes using an optical fiber cable in order to separate the reflecting mirror 112 and the rotary drive mechanisms 1101 and 1111 from the main case 118, etc. (specification, page 20, first paragraph). Thus, the use of the optical fiber provides advantages not associated with simply preventing any ambient light from interfering with the light beam from the laser as argued by the Examiner. Consequently, the rejection of claims 3 and 7 should be withdrawn on this basis also.

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Regarding claim 4 specifically, the Examiner does not appear to address whatsoever the use of color identification as recited in claim 4.

Nor does the Examiner indicate in any way how the references may be combined or interpreted so as to teach or suggest position detecting based on sound detecting means as recited in claim 5.

As a result, applicants respectfully submit that the Examiner has not provided even a *prima facie* basis for the obviousness rejection of claims 4 and 5. Withdrawal of the rejection of these claims is respectfully requested on this basis also.

IV. CONCLUSION

Accordingly, all claims 1-7 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

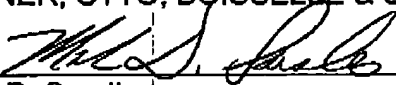
Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

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Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP


Mark D. Saralino
Reg. No. 34,243

DATE: September 13, 2005

The Keith Building
1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
(216) 621-1113
B:\GENNUMA\IP102\numap102.amd.wpd